

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No.
FM Table of Allotments) RM-
(Halfway, and Ozark)
Missouri))

To: Chief, Policy and Rules Division

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

JOINT PETITION FOR RULE MAKING

KYOO Broadcasting Company ("KBC"), permittee of KYOO-FM at Halfway, Missouri, and Ozark Mountain Broadcasting, Inc. ("OMB"), permittee of KZPF(FM) at Ozark, Missouri, respectfully request that the Commission amend Rule 73.202(b), the FM Table of Allotments, to (i) substitute Channel 229A for Channel 226A at Halfway, Missouri and modify the construction permit for KYOO-FM to specify operation on Channel 229A, and (ii) substitute Channel 225C2 for Channel 225A at Ozark, Missouri and modify the construction permit of KZPF(FM) to specify operation as a Class C2 facility on Channel 225.

In support of this allocation request, the following information is respectfully submitted:

1. As is demonstrated in attached Exhibit 1, Channel 229A may be substituted for Channel 226A at Halfway. KBC requests

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that Channel 229A be allotted to Halfway at geographic coordinates North Latitude 37-37-16 West Longitude 93-24-06. These coordinates depict the antenna site for co-owned KYOO(AM), licensed to Bolivar, Missouri. At the coordinates outlined in Exhibit 1, a station operating on Channel 229A could provide 70 dBu service to the complete community of Halfway. There is no great variation in the terrain between the geographic coordinates of the KYOO(AM) antenna site and the community of Halfway. Complete line of sight coverage would be provided the community. The use of the existing KYOO(AM) tower by KYOO-FM would enable the new FM station to operate more efficiently so to provide a greater level of service to its coverage area. If the requested channel substitution is made at Halfway, KBC will immediately file an application for a construction permit seeking operation on the new channel at its present AM tower site. If granted the construction permit, KBC will immediately make the requested facility changes in KYOO-FM.

2. Exhibit 2 shows that if Channel 229A is substituted for Channel 226A at Halfway, Channel 225C2 may be substituted for Channel 225A at Ozark if site restricted 26 kilometers west of the community. If Channel 225C2 is substituted for Channel 225A at Ozark, the permissible antenna site area for a station operating on Channel 225C2 in that community would be ample. The area where an antenna could be located is close enough so that a station operating on Channel 225C2 should have no difficulty placing a 70 dBu contour over the entire community of Ozark.

Complete line of sight coverage would also be provided the community of Ozark.

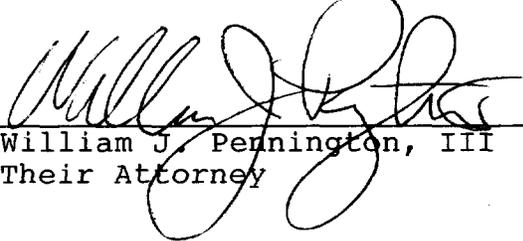
6. The allotment of Channel 225C2 to Ozark, and modification of OMB's construction permit to specify operation thereon, will permit OMB to serve a much larger area, thereby increasing the number of broadcast signals available to the public in the given area and thus promoting efficient use of the spectrum. The Commission has determined that expanded service to the public and spectrum efficiency provide significant public service benefits. See Report and Order in MM Docket No. 85-313, 60 RR 2d 114, 118 (1986). Thus, OMB's proposal would serve the public interest.

7. Because Channel 225C2 would not be available to a third party for use at Ozark, OMB's construction permit may be modified to specify operation on the higher class channel pursuant to Rule 1.420(g). Upon grant of this request, OMB will proceed promptly with construction of its upgrade.

Based on the foregoing, KYOO Broadcasting Company and Ozark Mountain Broadcasting, Inc. hereby respectfully request that the Commission modify its FM Table of Allotments to (i) substitute Channel 229A for Channel 226A at Halfway, Missouri and modify the construction permit for Station KYOO-FM accordingly, and (ii) substitute Channel 225C2 for Channel 225A at Ozark, Missouri and modify its construction permit for Station KZPF accordingly.

Respectfully submitted,

**KYOO BROADCASTING COMPANY
OZARK MOUNTAIN BROADCASTING, INC.**

By: 

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Their Attorney

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March 21, 1993

FM SPACING STUDY

JOB TITLE: HALFWAY, MO
 CHANNEL: 229A
 COORDINATES: 37-37-16 93-24-06

CALL STATUS	CITY STATE	CHANNEL	LATITUDE LONGITUDE	BEARING	DIST (KM)	REQ. (KM)
KYOO-FM CP	HALFWAY MO	226 A	37-41-21 93-20-11	37.19	9.50	31.0** CLEAR
ADD	SELIGMAN MO	227 C1	36-28-03 94-10-25	208.34	145.28	75.0 CLEAR
KYLC CP	OSAGE BEACH MO	228 C3	38-17-33 92-34-24	43.96	104.18	89.0 CLEAR
KISR LIC	FORT SMITH AR	229 C	35-31-22 94-23-32	201.06	249.16	226.0 CLEAR
KIXQ LIC	WEBB CITY MO	230 C2	37-14-34 94-30-21	247.00	106.37	106.0 CLEAR
KFKF CP	KANSAS CITY KS	231 C	39-00-57 94-30-24	328.43	182.50	95.0 CLEAR
NEW ADD	CALIFORNIA MO	232 C2	38-26-00 92-26-00	44.11	121.27	55.0 CLEAR

THIS STUDY ONLY SHOWS THOSE CHANNEL AUTHORIZATIONS OR PROPOSALS NEAREST TO THE SPECIFIED COORDINATES WHICH ARE OF CONCERN FOR ALLOCATION PURPOSES.

** IT IS REQUESTED THAT CHANNEL 229A BE SUBSTITUTED FOR CHANNEL 226A AT HALFWAY FOR KYOO-FM AS PART OF THIS PETITION FOR RULE MAKING.

FM SPACING STUDY

JOB TITLE: OZARK, MO
 CHANNEL 225C2
 COORDINATES: 36-58-45 93-26-38

CALL STATUS	CITY STATE	CHANNEL	LATITUDE LONGITUDE	BEARING	DIST (KM)	REQ. (KM)
KBUG LIC	OSCEOLA MO	222 A	38-02-12 93-34-47	354.22	117.98	55.0 CLEAR
KSYN LIC	JOPLIN MO	223 C1	37-04-10 94-32-49	276.18	98.67	79.0 CLEAR
KLOZ LIC	ELDON MO	224 C2	38-20-27 92-35-33	26.08	168.77	130.0 CLEAR
KBEZ LIC	TULSA OK	225 C	36-11-26 96-05-50	250.48	253.07	249.0 CLEAR
KZLE CP	BATESVILLE AR	226 C	35-53-26 91-44-00	127.83	195.24	188.0 CLEAR
KYOO-FM CP	HALFWAY MO	226 A	37-41-21 93-20-11	6.83	79.37	106.0 SHORT*(1)
ADD	SELIGMAN MO	227 C1	36-28-03 94-10-25	229.04	86.45	79.0 CLEAR
ADD	OSAGE BEACH MO	228 C3	38-17-33 92-34-24	27.43	164.78	56.0 CLEAR

THIS STUDY ONLY SHOWS THOSE CHANNEL AUTHORIZATIONS OR PROPOSALS NEAREST TO THE SPECIFIED COORDINATES WHICH ARE OF CONCERN FOR ALLOCATION PURPOSES.

*(1) AS PART OF THIS PETITION FOR RULE MAKING, THE PERMITTEE OF KYOO-FM AT HALFWAY, MISSOURI HAS AGREED TO ACCEPT THE SUBSTITUTION OF CHANNEL 229A FOR CHANNEL 226A. THUS, NO SHORT SPACING WILL OCCUR.